

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Robert C. Johnson,)	Case No. 8:22-cv-00214-DCC-JDA
)	
Plaintiff,)	
)	
v.)	ORDER
)	
)	
MD Halford Meyer, MD David M.)	
Ingraham, RN Cheryl Walters, LPN)	
Geneva Walters, LPN Yvonne Munro,)	
Bobbie Lee,)	
)	
Defendants.)	
_____)	

This matter is before the Court upon Plaintiff's allegations of violations of his civil rights pursuant to 42 U.S.C. § 1983. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), this matter was referred to United States Magistrate Judge Jacquelyn D. Austin for pre-trial proceedings and a Report and Recommendation ("Report"). On January 31, 2022, Defendant Bobbie Lee filed a Motion to Dismiss. ECF No. 8. The same day, David M. Ingraham, Halford Meyer, Yvonne Munro, and Geneva Walters filed a Motion to Dismiss. ECF No. 9. On February 14, 2022, Plaintiff filed an Amended Complaint and a Response in Opposition to the Motions to Dismiss. ECF Nos. 12, 13. On February 16, 2022, the Magistrate Judge issued a Report recommending that

the Motions to Dismiss be found as moot based on the filing of the Amended Complaint.¹ ECF No. 14. No party has objected to the Report, and the time to do so has lapsed.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. See *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a de novo determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b). The Court will review the Report only for clear error in the absence of an objection. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” (citation omitted)).

As stated above, no party has objected to the Magistrate Judge's Report. Accordingly, after considering the record in this case, the applicable law, and the Report of the Magistrate Judge, the Court finds no clear error and agrees with the recommendation of the Magistrate Judge. The Motions to Dismiss [8, 9] are **FOUND as MOOT**.

IT IS SO ORDERED.

¹ The same Defendants filed Motions to Dismiss directed at the Amended Complaint on February 21, 2022, and February 28, 2022. ECF Nos. 15, 16. These Motions are not currently ready for review by this Court.

s/ Donald C. Coggins, Jr.
United States District Judge

March 10, 2022
Spartanburg, South Carolina